

§ 6.40

7 CFR Subtitle A (1–12 Edition)

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NONHISTORICAL LICENSES;
AND APPENDIX 3, DESIGNATED IMPORTER LICENSES FOR QUOTA YEAR 2011—Continued

[Quantities in kilograms]

Article by additional U.S. note number and coun- try of origin	Appendix 1	Appendix 2	Sum of Appendix 1 & 2	Appendix 3		Harmonized tariff schedule
				Tokyo R.	Uruguay R.	
SWISS OR EMMENTHALER CHEESE WITH EYE FORMATION (SW- NOTE 25)	15,607,214	6,690,117	22,297,331	9,557,945	2,620,000	34,475,276
Argentina .....	.....	9,115	9,115	70,885	.....	80,000
Australia	209,698	.....	209,698	290,302	.....	500,000
Canada .....	.....	.....	.....	70,000	.....	70,000
EU–25	11,186,762	5,290,066	16,476,828	4,003,172	2,420,000	22,900,000
Iceland	149,999	.....	149,999	150,001	.....	300,000
Israel	27,000	.....	27,000	.....	.....	27,000
Norway	3,187,264	468,046	3,655,310	3,227,690	.....	6,883,000
Switzerland	786,906	897,199	1,684,105	1,745,895	200,000	3,630,000
Other Countries	59,585	25,691	85,276	.....	.....	85,276
TOTAL: CHEESE ARTICLES ...	63,662,670	24,237,973	87,900,653	22,764,145	24,921,000	135,585,788
TOTAL: CHEESE ARTI- CLES & NON- CHEESE ARTI- CLES	68,762,343	41,003,081	.....	22,764,145	24,921,000	157,450,569

[76 FR 63539, Oct. 13, 2011]

**Subpart—Price-Undercutting of
Domestic Cheese by Quota
Cheeses**

AUTHORITY: Sec. 702, Pub. L. 96–39, 93 Stat. 144, 19 U.S.C. 1202 note.

SOURCE: 45 FR 9883, Feb. 13, 1980, unless otherwise noted.

§ 6.40 General.

This subpart sets forth the procedures applicable to the determination by the Secretary of Agriculture as to whether the price at which any article of quota cheese is being offered for sale in the United States on a duty-paid wholesale basis is less than the domestic wholesale market price of similar articles produced in the United States (i.e., price-undercutting) in accordance with section 702 of the Trade Agreements Act of 1979 (Pub. L. 96–39, 93 Stat. 144, 19 U.S.C. 1202 note) (hereinafter referred to as the Act).

§ 6.41 Definitions.

(a) *Complainant* means the person who has filed with the Investigating Authority, in accordance with the procedures set forth in this subpart, a written complaint alleging that price-undercutting is occurring.

(b) *Country of origin* means the country, as defined in 19 CFR 134.1(b), in which the quota article subject to this regulation was produced or manufactured.

(c) *Foreign government* means the government of the country of origin or, for purposes of determining whether a subsidy has been provided for the member states of the European Economic Community, the subsidy granting bodies of the European Economic Community.

(d) *Investigating Authority* means the Director, Dairy, Livestock and Poultry Division, Commodity Programs, Foreign Agricultural Service.

(e) *Quota cheese* means the articles provided for in the following items of the Tariff Schedules of the United States: